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10 Attorneys for Defendants
11 THE HOME DEPOT, INC. and
12 IRWIN INDUSTRIAL TOOL COMPANY
13 (erroneously sued as "Benzomatic")
14

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17

18 FELICIANO REYES,) Case No.: C-06-04863 SC
19 Plaintiff,) STIPULATION TO DISMISS ACTION
20 vs.) WITH PREJUDICE
21 THE HOME DEPOT, A Georgia Corporation,) AND ORDER THEREON
22 BENZOMATIC, a New York Corporation, and)
23 DOES 1-50, inclusive,)
24 Defendants.)
25

26 Plaintiff Feliciano Reyes and defendants The Home Depot and Irwin Industrial Tool
27 Company (erroneously sued herein as "Benzomatic"), by and through their respective attorneys of
28 record, hereby stipulate as follows:

29 Whereas, the parties along with their counsel mediated this case before a private mediator;
30 Whereas, the parties settled the case and a release has been executed and defendants have
31 complied with the settlement terms of such release;

32 Accordingly,

33 IT IS HEREBY STIPULATED THAT:

34 The action in its entirety may be dismissed by the Court with prejudice, both sides to bear
35 their own respective attorneys' fees and costs; and

1 The Pre-trial Conference date and the Trial date may be vacated by the Court.
2

3 **IT IS SO STIPULATED:**

4 Dated: September 20, 2007

LAW OFFICES OF FRANK MAYO

6 By: 
7 FRANK MAYO
8 Attorneys for Plaintiff
9 FRANCISCO REYES

10 Dated: September 24, 2007

SHOOK, HARDY & BACON L.L.P.

11 By: 
12 MICHAEL C. OSBORNE
13 SARA TROPEA
14 Attorneys for Defendants
15 THE HOME DEPOT, INC. AND
16 IRWIN INDUSTRIAL TOOL
17 COMPANY

18 **ORDER**

19 UPON STIPULATION OF THE PARTIES AND GOOD CAUSE APPEARING,

20 IT IS ORDERED THAT this action be and is hereby dismissed in its entirety with prejudice,
21 both sides to bear their respective attorneys' fees and costs. The Pre-trial Conference date and the
22 Trial date are ordered vacated.

23 Dated: September 27, 2007

24 By: 

